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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/282,320
Filing Date: March 31, 1999
Appellant(s): MARTINO ET AL.

Russell Gross
(Reg. No. 40,007)
and
Steve Cha
(Reg. No. 44,069)

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/17/2004.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

No amendment after final has been filed.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

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(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

The rejection of claims 1-20 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

The following is a listing of the prior art record relied upon in the rejection of claims under appeal.

5,537,175	KAMAYA et al.	7-1996
5,940,229	BAUMGARTEN	8-1999
5,394,198	JANOW	2-1995
5,532,737	BRAUN	7-1996
6,137,526	KAKII	10-2000
6,079,862	KAWASHIMA et al.	6-2000
5,943,603	PARULSKI et al.	8-1999

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

1. Claims 1-2, 4-7, 9-15 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamaya et al. (US PAT. 5,537,175 hereinafter Kamaya) in view of Baumgarten (US PAT. 5,940,229) and Janow (US PAT. 5,394,198).

Regarding claim 1, Kamaya discloses an image framing system comprising a camera (2) having a lens (5) for producing a camera image, and a mirror (40) for producing a mirror image, the mirror having a reflection surface that is substantially greater than the lens surface (figure 19), wherein the mirror is coupled to the camera such that a field of view of the mirror substantially corresponds to a field of view of the camera and the mirror image is representative of the camera image so as facilitate framing an object image (i.e., a camera user) in the camera image (col. 6 lines 1-60 and col. 9 lines 11-67). Kamaya differs from the claimed invention in not specifically teaching the mirror movably arranged at an angle to the camera and a two-way transparent center area in the mirror to permit the camera to capture the camera image. However, Baumgarten discloses an image generating device (4, figure 5) for quickly and easily inspecting users' own appearance including a framing mirror (24, figure 5) in front of a camera (70, figure 5) so that the mirror is movably arranged at an angle to the camera (col. 3 lines 29-51), wherein the mirror comprises a two-way transparent center area, i.e., a hole (80, figure 5), located at the center area of the mirror (40, figure 5), to permit the camera to capture image, thereby increasing the clarity of the video signal (col. 6 lines 1-14). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kamaya in

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having the mirror moveably arranged at the angle to the camera and having the two-way transparent center area to permit the camera to capture image, as per teaching of Baumgarten, in order to make user friendly so that users can quickly and easily inspect their own appearance during an operation, as well as increasing the clarity of the video signal captured by the camera. Although neither Kamaya nor Baumgarten specifically discloses the two-way transparent center area being a two-way transparent solid center area to permit the camera to capture the camera image, Janow teaches to insert a transparent material (701, figure 7) into a hole (401, figure 7) or to remove in the area of hole (401, figure 1) the reflective coating in order to provide a two-way transparent solid area to permit a camera lens (507, figures 5-7) to capture a camera image, thereby the camera image appears more uniform and the existence of the hole is less apparent to a viewer (figures 5-7 and col. 5 line 11 through col. 6 line 13). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Baumgarten in having the two-way transparent solid center area to permit the camera to capture the camera image, as per teaching of Janow, because it enhances the system so that the camera image appears more uniform, and the existence of the hole is less apparent to the viewer.

Regarding claim 2, Kamaya discloses the optical axis CO of the lens 5 of the video camera (1B) and the optical axis CB of the mirror (22) are commonly aligned (col. 6 lines 31-35) so that a field of reflection of the mirror substantially corresponds to a first field of view of at least a portion of the camera image (col. 6 lines 39-43).

Regarding claim 4, Kamaya discloses the mirror (22) has a front surface that is substantially reflective and a rear surface and the camera (1B) is located behind the rear surface

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(figure 7 and col. 6 lines 39-48). Note Janow teaches to have the two-way transparent solid center area (701, figure 7) that is substantially reflective except for the hole (col. 5 lines 54-57). Thus, the claimed limitations are read by the combination of Kamaya, Baumgarten and Janow.

Regarding claim 5, Janow discloses an output device having a display area (105, figure 7) for displaying a second image, wherein a mirror (703, figure 5) is location within the display area.

Regarding claim 6, Kamaya teaches a controllable device (i.e., a stepping motor) for controlling a field of reflection that is associated with the mirror (col. 7 lines 45-51 and col. 10 lines 19-56).

Regarding claim 7, Kamaya teaches a certain degree of outside ambient light (i.e., a light source that emits light) reflected by a half mirror (10) while the remaining light passes into the lens (5) to be recorded as an image such that the lens provides the image in dependence upon the light (col. 4 lines 51-56). Note while Kamaya also teaches the lens (5) is formed as the half mirror (10) (col. 4 lines 38-39). Thus, one of ordinary skill in the art would recognize the mirror providing the mirror image in dependence upon the light, as well as the lens.

Regarding claim 9, Kamaya teaches the image framing system including at least one of an appliance, i.e., a playback device (figure 8 and col. 6 lines 46-48).

Regarding claim 10, Kamaya teaches that the camera image is communicated to a remote location for subsequent viewing (col. 12 lines 43-49).

Regarding claim 11, Kamaya discloses a system comprising an image framing system that includes a camera (1') having a lens (5') for producing a camera image in communicate with a remote site, a mirror (10') for producing a mirror image that is representative of the camera

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image to facilitate framing an object image in the camera image, the mirror having a reflection surface that is substantially greater than the lens surface (figure 31) and a display system (80) that displays a second image received from the remote site (figure 32 and col. 12 lines 41-51), wherein a field of view of the mirror substantially corresponds to a field of view of the camera (figure 1). Kamaya differs from the claimed invention in not specifically teaching the mirror, having a two-way transparent area to permit the camera lens to capture the camera image, attached to an exterior of the camera and movably arranged at an angle to the camera. However, Baumgarten discloses an image generating device (4, figure 5) for quickly and easily inspecting users' own appearance including a framing mirror (24, figure 5) attached to an exterior of the camera (70, figure 5) so that the mirror is movably arranged at an angle to the camera (col. 3 lines 29-51), wherein the mirror comprises a two-way transparent center area, i.e., a hole (80, figure 5) located at the center area of the mirror (40, figure 5), to permit the camera to capture image, thereby increasing the clarity of the video signal (col. 6 lines 1-14). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kamaya in having the mirror attached to the exterior of the camera and moveably arranged at the angle to the camera and having the two-way transparent center area to permit the camera to capture image, as per teaching of Baumgarten, in order to make user friendly so that users can quickly and easily inspect their own appearance during an operation, as well as increasing the clarity of the video signal captured by the camera. Although neither Kamaya nor Baumgarten specifically discloses the two-way transparent center area being a two-way transparent solid center area to permit the camera to capture the camera image, Janow teaches to insert a transparent material (701, figure 7) into a hole (401, figure 7) or to remove in the area of

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hole (401, figure 1) the reflective coating in order to provide a two-way transparent solid area to permit a camera lens (507, figures 5-7) to capture a camera image, thereby the camera image appears more uniform and the existence of the hole is less apparent to a viewer (figures 5-7 and col. 5 line 11 through col. 6 line 13). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Baumgarten in having the two-way transparent solid center area to permit the camera to capture the camera image, as per teaching of Janow, because it enhances the system so that the camera image appears more uniform and the existence of the hole is less apparent to the viewer.

Regarding claim 12, the limitations of the claim are rejected as the same reasons set forth in claim 5.

Regarding claim 13, Kamaya teaches a lens (5') having a field of view being covered by the mirror (10'), and the mirror that representative of the camera image so as facilitate framing an object image (i.e., a camera user) in the camera image (col. 12 lines 47-49). Thus, one of ordinary skill in the art would recognizes the mirror having a field of reflection that substantially corresponds to the field of view of the camera of at least a portion of the camera image.

Regarding claim 14, Kamaya teaches a user image would be transmitted to a corresponding monitor at the other person's side (col. 12 lines 43-46) so that one of ordinary skill in the art would recognize the system obviously comprising a transmitter for communicating the camera image to the remote site.

Regarding claim 15, Kamaya discloses an image transmission system comprising a camera (2) having a lens (5) for producing a camera image, and a mirror (40) having a field of view of the mirror substantially corresponds to a field of view of the camera and the mirror being

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operably coupled to the camera for producing a mirror image that corresponds substantially to the camera image (col. 6 lines 1-60 and col. 9 lines 11-67), the mirror having a reflection surface that is substantially greater than the lens surface (figure 19). Note while Kamaya also teaches the camera image would be transmitted to a corresponding monitor at the other person's side (col. 12 lines 43-46). Thus, the system obviously comprises a transmitter for transmitting the camera image to a remote location. Kamaya differs from the claimed invention in not specifically teaching the mirror having a two-way transparent center area to permit the camera lens to capture the camera image movably arranged at an angle to the camera. However, Baumgarten discloses an image generating device (4, figure 5) for quickly and easily inspecting users' own appearance including a framing mirror (24, figure 5) having a two-way transparent center area, i.e., a hole (80, figure 5) located at the center area of the mirror (40, figure 5), to permit the camera to capture image (col. 6 lines 1-14), wherein the mirror is movably arranged at an angle to the camera (col. 3 lines 29-51). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kamaya in having the mirror including the two-way transparent center area to permit the camera to capture the camera image movably arranged at an angle to the camera, as per teaching of Baumgarten, in order to make user friendly so that users can quickly and easily inspect their own appearance during an operation, as well as increasing the clarity of the video signal captured by the camera. Although neither Kamaya nor Baumgarten specifically discloses the two-way transparent center area being a two-way transparent solid center area to permit the camera to capture the camera image, Janow teaches to insert a transparent material (701, figure 7) into a hole (401, figure 7) or to remove in the area of hole (401, figure 1) the reflective coating in order to provide a two-way transparent solid area to

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permit a camera lens (507, figures 5-7) to capture a camera image, thereby the camera image appears more uniform and the existence of the hole is less apparent to a viewer (figures 5-7 and col. 5 line 11 through col. 6 line 13). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Baumgarten in having the two-way transparent solid center area to permit the camera to capture the camera image, as per teaching of Janow, because it enhances the system so that the camera image appears more uniform and the existence of the hole is less apparent to the viewer.

Regarding claim 18, Kamaya discloses a method of framing an image of an object within a camera image comprising the steps of having a mirror for providing a field of view of the mirror substantially corresponds to a field of view of the camera and so as to provide a mirror image that is representative of the camera image (col. 6 lines 23-35), and frame the image of object in the camera image (col. 6 lines 36-41). In addition, Kamaya teaches the mirror acts as a viewfinder for viewing an object to be recorded (col. 5 lines 23-26) and a taping operation will be started only when an operator is satisfied with his or her image (i.e., an object) in a field of view during self-photography (abstract and col. 5 lines 8-11). Although Kamaya does not specifically teaches to adjust a position of the object in dependence upon the mirror image, it is old and notoriously well known in the photography art of using a viewfinder to give a feedback to a camera operator for keeping a targeted person in view of camera so that a target object can modify his or her position, or modify the camera orientation in order to make the camera field of view including the target object. Note while Kamaya teaches to use the half mirror acting as the viewfinder to view a capture scene (col. 5 lines 6-8 and lines 20-34). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to adjust the

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position of the object in dependence upon the mirror image (i.e., viewfinder image) because it assures a desired image is included within the field of view of the camera. Kamaya differs from the claimed invention in not specifically teaching to align the mirror having a two-way transparent center area and attached to an external surface of the camera. However, Baumgarten discloses an image generating device (4, figure 5) for quickly and easily inspecting users' own appearance including a framing mirror (24, figure 5) attached to an exterior of the camera (70, figure 5) so that the mirror is movably arranged at an angle to the camera (col. 3 lines 29-51), wherein the mirror comprises a two-way transparent center area, i.e., a hole (80, figure 5) located at the center area of the mirror (40, figure 5), to permit the camera to capture image, thereby increasing the clarity of the video signal (col. 6 lines 1-14). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kamaya in having the mirror having the two-way transparent center area and attached to the exterior of the camera and moveably arranged at the angle to the camera, as per teaching of Baumgarten, in order to make user friendly so that users can quickly and easily inspect their own appearance during an operation, as well as increasing the clarity of the video signal captured by the camera. Although neither Kamaya nor Baumgarten specifically discloses the two-way transparent center area being a two-way transparent solid center area so as to provide a mirror image that is representative of the camera image except for the transparent solid center area, Janow teaches to insert a transparent material (701, figure 7) into a hole (401, figure 7) or to remove in the area of hole (401, figure 1) the reflective coating in order to provide a two-way transparent solid area to permit a camera lens (507, figures 5-7) to capture a camera image, thereby the camera image appears more uniform and the existence of the hole is less apparent to

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a viewer (figures 5-7 and col. 5 line 11 through col. 6 line 13). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Baumgarten in having the two-way transparent solid center area so as to provide a mirror image that is representative of the camera image except for the transparent solid center area, as per teaching of Janow, because it enhances the system so that the camera image appears more uniform and the existence of the hole is less apparent to the viewer.

Regarding claim 19, Kamaya teaches that the dimensions of the frame defined in the mirror (54) as shown in figure 21 are established to a scale corresponding to the size of image actually recorded (col. 10 lines 46-61). Thus, a field of reflection of the mirror is adjusted in dependence upon a field of view associated with the camera image.

Regarding claim 20, Kamaya discloses the step of transmitting the camera image to a remote location (col. 12 lines 42-49).

2. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamaya et al. (US PAT. 5,537,175 hereinafter Kamaya) in view of Baumgarten (US PAT. 5,940,229) and Janow (US PAT. 5,394,198) as applied in claim 1 above, and further in view of Braun (US PAT. 5,532,737).

Regarding claim 3, Kamaya clearly discloses a camera (1B) having a first field of view and the mirror (22) having a field of reflection that substantially corresponds to the first field of view of at least a portion of the camera image (figures 6-8 and col. 6 lines 39-43). The combination of Kamaya, Baumgarten and Janow differs from the claimed invention in not specifically teaching the image framing system further including a second camera that has a

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second field of view that in conjunction with the first field of view forms a stereo field of view, wherein the field of reflection also substantially corresponds to the second field of view and the stereo field of view in at least a portion of the camera image. However, Braun teaches a camera arrangement comprising a second camera (104) has a second field of view (105) that in conjunction with a first field of view (103) forms a stereo field of view (110) so that the field of reflection of a mirror (130) substantially corresponds to the second field of view and the stereo field of view in at least a portion of the camera image (col. 4 lines 31 through col. 5 line 6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Kamaya, Baumgarten and Janow in further including the second camera and providing the field of reflection substantially corresponds to the second field of view and the stereo field of view in at least a portion of the camera image, as per teaching of Braun, because it enhances the image framing system to form an aggregate wide angle field of view that does not exhibit a seam or other artifact at the boundary between the sub-images produced by the individual cameras.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamaya et al. (US PAT. 5,537,175 hereinafter Kamaya) in view of Baumgarten (US PAT. 5,940,229) and Janow (US PAT. 5,394,198) as applied in claim 1 above, and further in view of Kawashima et al. (US PAT. 6,079,862, filed June 18, 1997, hereinafter Kawashima).

Regarding claim 8, the combination of Kamaya, Baumgarten and Janow differs from the claimed invention in not specifically teaching the image framing system further including a recognition device coupled to the camera for providing an enable signal in dependence upon the

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camera image and a processing system coupled to the recognition device for providing an output independence upon the enable signal. However, Kawashima teaches an automatic tracking system comprising an image recognition unit (5) and a coordinate calculation unit (6), read as a recognition device, coupled to a camera, (4) for providing a quantity of movement (i.e., an enable signal) in dependence upon a targeted camera image, and a movable control unit (7) read as a processing system, coupled to the recognition device for providing driving signals (i.e., an output) for driving the direction of a spotlight (1) in dependence upon the enable signal, so that the lighting direction of the spotlight coincide with the targeted camera image to be lighted (col. 9 line 53 through col. 10 line 21). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Kamaya, Baumgarten and Janow in the recognition device and the processing system, as per teaching by Kawashima, because it improves workability to provide automatic tracking lighting system in dependence upon the targeted camera image captured by the camera so that the system is capable of automatically moving the lighting position into the targeted lighting position by operating the camera in coupled with the recognition device and the processing system, thereby the need for an operator to be located in the vicinity of the lighting position is not required.

4. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamaya et al. (US PAT. 5,537,175 hereinafter Kamaya) in view of Baumgarten (US PAT. 5,940,229) and Janow (US PAT. 5,394,198) as applied in claim 15 above, and further in view of Parulski et al. (US PAT. 5,943,603, filed April 24, 1997, hereinafter Parulski).

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Regarding claims 16-17, Kamaya teaches the camera image would be transmitted to a corresponding monitor at the other person's side (col. 12 lines 43-46) such that the system obviously comprises a transmitter for transmitting the camera image to a remote location. The combination of Kamaya, Baumgarten and Janow differs from the claimed invention in not specifically teaching the image transmission system further comprising a telephone and the transmitter for transmitting the camera image via a wireless system. However, Parulski teaches that a cellular telephone is provided with the components of an image camera to form a combined telephone/camera unit for transmitting the camera image via a wireless system (figures 7-11 and col. 4 line 29 through col.5 line 7). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Kamaya, Baumgarten and Janow in combining the camera with the cellular telephone for transmitting the camera image via the wireless system, as per teaching of Parulski, because it improves the capability of the image transmission system so that it allows image to be quickly and easily transmitted from remote field locations to receiver units.

(11) *Response to Argument*

Appellant's remarks have been considered and are deemed not persuasive for the following reasons.

In response to appellants' argument that the combination of Kamaya, Baumgarten and Janow fails to disclose or suggest the recitation that the "mirror has a two-way transparent solid center area to permit the camera to capture the camera image", it is noted that Baumgarten clearly teaches an image generating device (4, figure 5) for quickly and easily inspecting users'

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own appearance including a framing mirror (24, figure 5) attached to an exterior of the camera (70, figure 5) so that the mirror is movably arranged at an angle to the camera (col. 3 lines 29-51) as claimed, wherein the mirror comprises a two-way transparent center area, i.e., a hole (80, figure 5) located at the center area of the mirror (40, figure 5), to permit the camera to capture image, thereby increasing the clarity of the video signal (col. 6 lines 1-14), and Janow teaches to insert a transparent material (701, figure 7) into a hole (401, figure 7) in order to make the existence of hole being less apparent to a viewer (e.g. col. 5 lines 43-49 and lines 54-55), as well as protecting the camera lens. Therefore, it would have been obvious to a person of ordinary skill in the art to modify the combination of Kamaya and Baumgarten by providing a transparent material, i.e., a two-way solid transparent center area, in the mirror as taught by Janow because it makes the existence of hole being less apparent to a viewer and protect the camera lens.

In response to appellants' argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Janow clearly teaches the advantageous of arranging of a transparent material in front of the camera in order to make the existence of hole being less apparent to a viewer (e.g. col. 5 lines 42-55), thereby making it less unsightly and making the displayed image more uniform, and the combination of Kamaya and Baumgarten clearly teaches a mirror as claimed, including mirror having a two-way transparent center area to permit camera to capture

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the camera image (see Baumgarten figure 5 and col. 6 lines 1-14). Thus, the combination of Kamaya, Baumgarten and Janow teaches the claimed invention.

Appellants' remark on Janow being not directed to a mirror is misleading since the issue is directed to provide a transparent material inserting in front of a camera to form a two-way transparent solid center area for permitting the camera to capture the camera image. As stated above, the combination of Kamaya and Baumgarten clearly teaches a mirror as claimed, including mirror having a two-way transparent center area to permit camera to capture the camera image (see Baumgarten figure 5 and col. 6 lines 1-14). The combination of Kamaya and Baumgarten differs from the claimed invention in not specifically teaching a two-way transparent material inserted in front of the camera in order to form a two-way transparent solid center area. Janow clearly teaches the advantage of inserting transparent material (701, figure 7) in a hole (401, figure 7) in front of a camera (501, figure 7) in order to make the transparent center area more uniform when displaying an image and the existence of the hole being less apparent to a viewer (col. 5 lines 42-55). Thus, a person of ordinary skill in the art would obviously have been motivated to modify the combination of Kamaya and Baumgarten to produce the claimed invention in view of Janow's advantageous teaching as discussed above.

In addition, appellants' remark on Janow being not directed to a mirror requires a physical combination of the references. It is noted that the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871

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(CCPA 1981). Thus, combining the teachings of references does not involve an ability to combine their specific structures. In this case, the combination of Kamaya and Baumgarten clearly teaches a mirror as claimed except for a transparent solid center area inserting in front of the camera for permitting the camera lens to capture the camera image. The use of Janow merely is for teaching to insert transparent material in a hole in front of camera for permitting the camera lens to capture camera images, thereby making the transparent center area more uniform when displaying an image and the existence of the hole being less apparent to a viewer (col. 5 lines 42-55). Thus, the combination of Kayama, Baumgarten and Janow discloses the claimed limitations of claim 1. As a result, the Examiner respectfully submits that claim 1 would have been obvious to an artisan over the combination of Kamaya, Baumgarten and Janow for at least the above reasons.

Furthermore, the Examiner respectfully submits that since independent claims 11, 15 and 18 have been previously amended in a similar fashion as claim 1, therefore these claims are also obvious over the combination of Kamaya, Baumgarten and Janow for at least the above reasons as set forth in claim 1. In addition, claims 2, 4-7, 9-10, 12-14 and 19-20 are believed to be obvious for the various reasons as set forth in the final Office rejections.

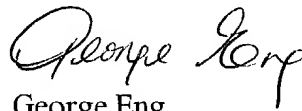
With regard to the rejection of claims 3, 8 and 16-17, the combination of Kamaya, Baumgarten and Janow discloses or suggest Applicants' base claims 1 and 15, and therefore claims 3, 8 and 16-17 are also obvious over the combination of Kamaya, Baumgarten and Janow in view of Braun, Kawashima and Parulski, respectively, as set forth in the final Office rejections.

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Conclusion

For the above reasons, the Examiner respectfully submits that a **prima facie** case of obviousness of the claimed invention has been set forth in the Final Office action and appellants have failed to overcome the **prima facie** case of obviousness. Accordingly, it is believed that the final rejection under 35 U.S.C. § 103 is proper and the Board of Patent Appeals and Interferences is therefore respectfully urged to sustain the Examiner's rejection.

Respectfully submitted,



George Eng
Primary Examiner
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November 19, 2004

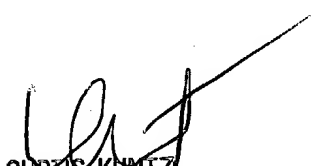
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